

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-262-C - ORDER NO. 96-728
OCTOBER 21, 1996

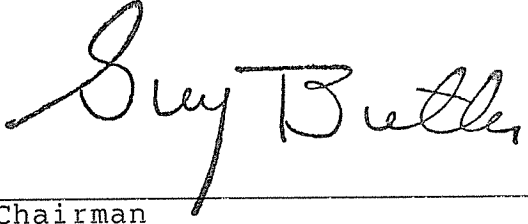
IN RE: Petition of American Communications) ORDER
Services, Inc. for Arbitration with)
BellSouth Telecommunications, Inc.)

This matter comes before the Public Service Commission of South Carolina (the "Commission") in contemplation of the Arbitration proceeding to be held on November 4, 1996, between American Communications Services, Inc. ("ACSI") and BellSouth Telecommunications, Inc. ("BellSouth") pursuant to the Telecommunications Act of 1996. Previously in Order No. 96-695, this Commission established certain procedures for the arbitration process and expressly reserved the right to add to the procedures. Therefore, we now adopt an additional plan as submitted by Staff which details further arbitration procedures. This plan is attached in memorandum form to this Order and is incorporated by reference herein. The Commission shall follow this Plan in administering the arbitration between ACSI and BellSouth. However, the Commission shall retain the right to modify, amend or supplement the Plan or indeed delete portions of the Plan as necessary. The Plan shall be utilized for future arbitrations filed with the Commission under Section 252(b) of The Telecommunications Act of 1996 as the Commission shall see fit.

DOCKET NO. 96-262-C - ORDER NO. 96-728
OCTOBER 21, 1996
PAGE 2

This Order shall remain in full force and effect until further
Order of the Commission.

BY ORDER OF THE COMMISSION:



Chairman

ATTEST:



Executive Director

(SEAL)

State of South Carolina



Public Service Commission

RUDOLPH MITCHELL
Chairman
GUY BUTLER
Vice Chairman
CECIL A. BOWERS
Commissioner
WARREN D. ARTHUR, IV
Commissioner
WILLIAM "BILL" SAUNDERS
Commissioner
C. DUKES SCOTT
Commissioner
PHILIP T. BRADLEY
Commissioner

CHARLES W. BALLENTINE
Executive Director
(803) 737-5120

GARY E. WALSH
Deputy Executive Director
(803) 737-5133

TO: ACSI/BELLSOUTH ARBITRATION
FROM: GARY E. WALSH, DEPUTY EXECUTIVE DIRECTOR
DATE: OCTOBER 16, 1996
IN RE: COMMISSION APPROVED ARBITRATION PLAN

ISSUE ORDER APPROVING THE FOLLOWING ARBITRATION PLAN AS IT
RELATES TO DOCKET # 96-262-C ACSI/BELLSOUTH ARBITRATION:

* REQUIRE BELLSOUTH TO PREFILE TESTIMONY AND COST STUDIES ON
OR BEFORE 10-21-96. INCLUDE LANGUAGE GRANTING MOTION TO LIMIT
ADMISSION OF CERTAIN COST INFORMATION AS FILED BY ACSI.

* REQUIRE REPLY TESTIMONY FROM ACSI TO BE FILED ON OR BEFORE
10-28-96.

* ALLOW PARTIES AND THE CONSUMER ADVOCATE WILL BE ALLOWED TO
SUBMIT A NON-BINDING LIST OF PROPOSED QUESTIONS TO THE
"ARBITRATOR" (COMMISSION) FOR USE IN EXAMINATION OF WITNESSES
BY 10-28-96. QUESTIONS SPECIFICALLY ADDRESSING REPLY
TESTIMONY AS FILED BY ACSI WILL BE DUE BY 10-31-96.

* PROCEDURES TO BE UTILIZED IN HEARING SCHEDULED FOR 11-4-96:

- 1) OPENING STATEMENTS FROM PARTIES AND CONSUMER ADVOCATE.
- 2) PRESENTATION OF DIRECT TESTIMONY AND EXHIBITS FROM PARTIES
IN A PANEL FORMAT.
- 3) EXAMINATION OF WITNESSES BY THE "ARBITRATOR". QUESTIONS
MAY BE DIRECTED TO SPECIFIC WITNESSES OR TO THE PANEL OF
WITNESSES.

- 4) CLOSING STATEMENTS BY PARTIES AND THE CONSUMER ADVOCATE.

* COMMISSION DECISION ON OR BEFORE 12-6-96.